

# JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

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THIRTY-FIRST DAY, MONDAY, FEBRUARY 28, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Lord, another week has begun. We turn to You again as we begin. Instill in each of us renewed dedication. Distill all our comings and goings into some coherent pattern. Forestall those personal bickerings and any of our hankerings after glory into remembrance of what we do here – which is to serve the people You have seen fit to offer to us. May the deliberations of this day begin in our peaceful remembrance of Your compassionate presence and proceed towards a better Missouri for us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bishop George White and Lori Winkler.

Representative Crump moved for approval of the Journal of the thirtieth day.

Representative Marble raised an objection to the motion to approve the Journal, stating that the motions of Representatives Lakin, Ransdall and Relford, on page 390, were not valid motions.

The Chair requested the objection be submitted in writing.

Following the request of the chair, written objection was not received.

The Journal of the thirtieth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murphy	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Stokan	Thompson	Treadway	Troupe

Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Akin	Boykins	Gaskill	Gunn	Hoppe
Kasten	Secrest	Wiggins		

VACANCIES: 001

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 357	-	Representative Luetkemeyer
House Resolution No. 358	-	Representative Gaw
House Resolution No. 359	-	Representative Murphy
House Resolution No. 360	-	Representative Gunn
House Resolution No. 361	-	Representative Ford
House Resolution No. 362	-	Representatives Boucher and Harlan
House Resolution No. 363	-	Representative Green
House Resolution No. 364	-	Representative Boucher
House Resolution No. 365	-	Representatives Ross and Lograsso
House Resolution No. 366	-	Representative Hickey
House Resolution No. 367	-	Representative Cierpiot
House Resolution No. 368	-	Representative McBride

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 23** and **HCR 24** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2063** through **HB 2075** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 727, SB 804 and SB 816** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HJR 61**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## PERFECTION OF HOUSE BILL

**HCS HB 1737, as amended, with House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending**, relating to long-term care insurance, was taken up by Representative Monaco.

Representative Monaco raised a point of order that the Gentleman from Greene District is out of order according to Rule 86.

The Chair ruled the point of order not well taken.

**House Substitute Amendment No. 1 for House Amendment No. 2** was withdrawn.

Representative Ransdall assumed the Chair.

Representative Gaskill offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

**House Substitute Amendment No. 1 for House Amendment No. 2** was withdrawn.

**House Amendment No. 2** was withdrawn.

Representative Marble offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1737, Page 3, Section 376.956, Line 9, by deleting the colon and adding after the word “care” the following:

“as well as any and all personal assets that may be relinquished to the department as a result of said program.”

Speaker Pro Tem Kreider resumed the Chair.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1737, Page 3, Section 376.956, Line 9, by deleting the colon and adding after the word “care” the following:

“as well as any and all information regarding asset qualifications for said program.”

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 152

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Dolan

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin	Boykins	Campbell	Gunn	Hoppe
Kasten	Pryor	Secrest	Wiggins	

VACANCIES: 001

Representative Luetkemeyer offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1737, Page 4, Section 376.956, Line 18, by deleting subsections 5 and 6 of said section and renumbering accordingly.

Representative Luetkemeyer moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Barnett	Bartelsmeyer	Bennett	Berkstresser	Burton
Champion	Chrismer	Cierpiot	Dolan	Elliott
Evans	Foster	Froelker	Gaskill	Graham 106
Hanaway	Hartzler 123	Hartzler 124	Hendrickson	Hohulin
Holand	Kelley 47	King	Legan	Lograsso
Loudon	Luetkemeyer	McClelland	Myers	Naeger
Ostmann	Patek	Pouche 30	Purgason	Ridgeway
Schwab	Scott	Summers	Surface	Vogel

NOES: 109

Abel	Alter	Auer	Backer	Ballard
Barry 100	Bartle	Berkowitz	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Carter	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Gibbons	Graham 24
Gratz	Griesheimer	Gross	Hagan-Harrell	Hampton
Harlan	Hegeman	Hickey	Hilgemann	Hollingsworth
Hosmer	Howerton	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Luetkenhaus	Marble
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Phillips	Ransdall	Reid	Reinhart	Relford
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Akin	Boykins	Campbell	Green	Gunn
Hoppe	Kasten	Linton	Long	Pryor
Richardson	Secrest	Wiggins		

VACANCIES: 001

**HCS HB 1737, as amended,** was laid over.

## COMMITTEE REPORTS

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1502**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1652** and **HB 1433**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills and Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1454**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1698**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

**HB 1113**, introduced by Representative Franklin, to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2076**, introduced by Representative Kissell, relating to individual income tax deductions for long-term health care insurance premiums.

**HB 2077**, introduced by Representative Dougherty, relating to the residential treatment of children in the custody of the division of family services.

**HB 2078**, introduced by Representative Berkowitz, et al, relating to the highway patrol's motor vehicle and aircraft revolving fund.

**HB 2079**, introduced by Representative Treadway, relating to regulation and licensing of landscape architects.

**HB 2080**, introduced by Representative Kennedy, relating to medical treatment facilities.

**HB 2081**, introduced by Representatives Hohulin and Burton, relating to illegal use or possession of controlled substances by educational personnel.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1114**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 29, 2000.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirtieth Day, Thursday, February 24, 2000, Page 387, lines 31 through 33, by deleting all of said lines and inserting in lieu of thereof the following:

### **SECOND READING OF SENATE BILLS**

**SCS SB 557, SB 573, SB 643, SCS SB 685, SCS SB 746, SCS SB 756, SCS SB 765, SB 821, SB 836, SB 877 and SCS SB 883** were read the second time.

Pages 388 and 389, roll call, by showing Representatives Kissell and Luetkenhaus voting "aye" rather than "absent with leave".

Pages 389 and 390, roll call, by showing Representatives Barnett and Black voting "aye" rather than "absent with leave".

## COMMITTEE MEETINGS

### APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 29, 2000. Hearing Room 3 upon evening adjournment.

Dept. of Corrections, Dept. of Social Services. Executive Session.

#### BUDGET

Tuesday, February 29, 2000, 8:30 am. Hearing Room 3.

AMENDED NOTICE.

To be considered - HB 1102, HB 1103, HB 1108

#### BUDGET

Tuesday, February 29, 2000, 1:00 pm. Hearing Room 3.

AMENDED NOTICE.

To be considered - HB 1102, HB 1103, HB 1108

#### BUDGET

Wednesday, March 1, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1103, HB 1108, HB 1112

#### BUDGET

Wednesday, March 1, 2000. Hearing Room 3 upon morning adjournment.

To be considered - HB 1108, HB 1110, HB 1112

### CHILDREN, YOUTH AND FAMILIES

Tuesday, February 29, 2000. Side gallery upon morning adjournment.

Executive Session possible on other bills.

To be considered - Executive Session - HB 1865

### CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 1, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1897, HB 1904, HB 1929, HB 1997,

Executive Session - HB 1421, Executive Session - HB 1703, Executive Session - HB 1718

### CONSUMER PROTECTION AND HOUSING

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 1281

### CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1844, HB 1917, HB 1918, HB 1928



CRIMINAL LAW

Tuesday, February 29, 2000. Side gallery upon morning adjournment.  
Executive Session.

CRIMINAL LAW

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1542, HB 1641, HB 1738, HB 1779, HB 1794, HB 1839, HB 1880, HB 1959

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 29, 2000, 8:00 am. Hearing Room 7.  
AMENDED NOTICE.  
To be considered - HB 1379, HB 1549, HB 1784

EDUCATION - HIGHER

Wednesday, March 1, 2000. Hearing Room 5 upon morning adjournment.  
To be considered - HB 1980, HB 2044, Executive Session - HB 1327, Executive Session - HB 1660,  
Executive Session - HB 1893, Executive Session - HB 1916

ELECTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 5.  
Possible Executive Session. AMENDED NOTICE.  
To be considered - HB 1717, HB 2031

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 1, 2000, 8:30 am. Hearing Room 5.  
Possible Executive Session. AMENDED NOTICE.  
To be considered - HB 1941

JUDICIARY

Tuesday, February 29, 2000. Hearing Room 5 upon morning adjournment.  
Executive Session may follow. AMENDED NOTICE.  
To be considered - HB 1477, HB 1493, HB 1580, HB 1937, HB 1968

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 29, 2000. Hearing Room 7 upon morning adjournment.  
Executive Session will follow.  
To be considered - HB 1557, HB 1793, HB 1930, HB 1931, HB 1979, HB 1990, HB 2011

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 1, 2000, 8:30 am. Hearing Room 6.  
To be considered - HB 1092, HB 1632, HB 1720

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 1, 2000, 8:00 am. Hearing Room 1.

To be considered - HB 1392

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1587, HB 1838, HB 1900, HB 1944, HB 1953

MUNICIPAL CORPORATIONS

Wednesday, March 1, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1662, HB 2003, HB 2019, Executive Session - HB 1661,  
Executive Session - HB 1915

PUBLIC HEALTH

Tuesday, February 29, 2000. Side gallery upon evening adjournment.

Executive Session. AMENDED NOTICE.

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 29, 2000, 9:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1949

RETIREMENT

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 1.

Discussion exclusively on retired teachers returning to work.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 29, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1890, HB 1910, HB 1976

TRANSPORTATION

Wednesday, March 1, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1370, HB 1588, HB 1639, HB 1972, HB 1989, HJR 67

WAYS AND MEANS

Tuesday, February 29, 2000. Hearing Room 6 upon morning adjournment.

Executive Session possible.

To be considered - HB 1618, HB 1622, HB 1666, HB 1834, HB 1864, HB 1882, HB 1886, HB 1901,  
HB 1933, HB 1938, HB 1960, HB 1971, HJR 58

**HOUSE CALENDAR**

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 29, 2000

**HOUSE BILLS FOR SECOND READING**

HB 2076 through HB 2081

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 1113

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1737, as amended - Monaco
- 2 HCS HB 1143 - Scheve
- 3 HB 1615 - Hosmer
- 4 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 5 HCS HB 1566 & 1810 - Bray
- 6 HCS HB 1386 & 1086 - Britt
- 7 HCS HB 1076 - Relford
- 8 HB 1238 - Hoppe
- 9 HCS HB 1242 - Treadway
- 10 HB 1472 - Smith
- 11 HCS HB 1434 - Skaggs
- 12 HCS HB 1481 - Smith
- 13 HCS HB 1305 - Rizzo
- 14 HCS HB 1574 & 1640 - Ladd Stokan

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump
- 3 HCS HB 1602, as amended - Leake

**HOUSE BILL FOR PERFECTION - CONSENT**

(February 23, 2000)

HB 1335 - Scheve

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HS HCS HJR 61 - Van Zandt

**HOUSE BILLS FOR THIRD READING**

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1376 - Farnen
- 2     HB 1292 - Auer
- 3     HB 1208 - Fitzwater
- 4     HB 1353 - Farnen
- 5     HB 1185 - Gratz
- 6     HB 1085 - Selby
- 7     HB 1396 - Farnen
- 8     HB 1097 - Hosmer
- 9     HB 1289 - Auer